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FM AMEMBASSY HARARE  
TO RUEHC/SECSTATE WASHDC 0643  
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY  
RUEHUJA/AMEMBASSY ABUJA 1325  
RUEHAR/AMEMBASSY ACCRA 1175  
RUEHDS/AMEMBASSY ADDIS ABABA 1329  
RUEHRL/AMEMBASSY BERLIN 0086  
RUEHBY/AMEMBASSY CANBERRA 0590  
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RUEHKM/AMEMBASSY KAMPALA 1383  
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C O N F I D E N T I A L HARARE 001192

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AF/S FOR S. HILL  
NSC FOR SENIOR AFRICA DIRECTOR C. COURVILLE

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [ASEC](#) [ZI](#)  
SUBJECT: VOP UPDATE: COURT DROPS CHARGES

REF: REFTEL: HARARE 112 AND PREVIOUS

Classified By: Ambassador Christopher W. Dell under Section 1.4 b/d

11. (SBU) At the latest installment of the trial of the Voice of the People (VOP) trustees for illegally broadcasting (Reftel for background) on September 25, Magistrate William Bhila removed the accused from further remand, a move that essentially drops the charges against the seven defendants. The state prosecutor asked the court for a fourth delay to amend the charges to direct the proceedings against the trust as a legal entity, rather than the individuals. Bhila, however, agreed with defense attorney Beatrice Mtetwa's argument that continued delays were a hardship for the defendants, including Arnold Tsunga and Isabella Matambanadzo, who traveled from the U.S. and South Africa, respectively, to attend the hearing.

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Comment  
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12. (C) While the state's case against the VOP is dead for now, the prosecutor's comments suggest that the case may resurface at a later date but targeted at the organization, rather than the individuals. The state's fumbling of the charges, however, shows that it never had a strong case against the trustees and was instead using the trial as a means of harassment. Meanwhile, even if the state brings charges against the trust, the impact is likely to be minimal as VOP has already begun to relocate its offices to South Africa.  
DELL